**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CRIMINAL APPELLATE JURISDICTION**
**CRIMINAL APPLICATION NO.4826 OF 2005**

1. Ananta Govind Patil
2. Kashinath Kanha Pardhi ...Applicants
Vs.
The State of Maharashtra ...Respondent

Shri. N.N.Gawankar with Arfan Sait for the Applicants.
Ms M.M. Deshmukh, A.P.P. for the Respondent.

**CORAM : A. S. OKA, J.**
**DATE : AUGUST 05, 2005.**

**P.C.:**

1. Heard Advocate for the Applicants and the learned A.P.P. for the State. When this Application was heard on 03rd August, 2005, the learned Advocate for the Applicants pointed out that the Applicants are claiming parity on the basis of the order dated 04th July, 2005 passed by this Court in Criminal Application No.3881 of 2005. In view of this submission, time was granted to the learned A.P.P. to study the matter and to make a statement whether Applicants are entitled to parity.

2. Today, when the matter is called out, the learned A.P.P. for the State on instructions stated that the case of the Applicants is not different from the Applicant in Criminal Application No.3881 of 2005 and therefore, the Applicants are entitled to claim bail on the basis of parity.

3. Hence, I pass the following order:

: O R D E R :

i) The Applicants shall be enlarged on bail in connection with C.R.No.I 54 of 2004 registered with Bhiwandi Taluka Police Station, subject to furnishing a personal bond of Rs.20,000/- each with one or two sureties in the like amount.

ii) The Bail is granted subject to condition that till the conclusion of the trial the Applicants shall not enter the area falling within the jurisdiction of Bhiwandi Taluka, District Thane.

iii) The Bail is granted subject to condition that before his release the Applicants shall submit to the concerned officer of the jail, Investigating Officer and Trial Court his address of residence and after the Applicants are enlarged on bail they will report to the local police station once in a week.

iv) The Bail is granted subject to condition that the Applicants shall not, directly or indirectly, make any inducement or threat to any prosecution witnesses and shall not in any manner tamper with the prosecution evidence.

v) The Applicants shall co-operate with the learned Trial Judge for expeditious disposal of the trial. Any attempt by the Applicants to delay the trial may be a ground for cancellation of bail.

vi) Any observation made in this order shall not construed as any finding or any expression of opinion on the merits of the case at the time of trial.

vii) Application is disposed of in above terms.

viii) The parties to act upon an authenticated copy of this order.

**JUDGE**